

REMARKS

Applicants appreciate the thorough examination of the present application that is reflected in the non-final Official Action of June 15, 2006. Applicants also appreciate the Examiner's indication that Claims 18-25, 36, 41-44 and 51 would be allowable if rewritten in independent form, and if the obviousness type double patenting rejection was overcome.

In order to expedite allowance of the present application, Claims 18-25, 36, 41-44 and 51 have been rewritten in independent form as described in detail below, and the remaining claims have either been canceled or amended to depend from these allowable claims. Moreover, the obviousness type double patenting rejection has been overcome, because the amended claims of the present application are clearly patentably distinct from over the amended pending claims of copending Application Serial No. 10/661,917, for the reasons that will be described below.

Sixth and Seventh Supplemental Information Disclosure Statements are also being filed concurrently.

The Allowable Claims Have Been Rewritten In Independent Form

Allowable Claims 18-25, 36, 41-44 and 51 have been rewritten in independent form as follows:

Independent Claim 17 has been canceled, and the recitations thereof have been incorporated into Claim 18. Claim 18 also has been amended to provide proper antecedent basis and better readability. Claims 19-21 depend from Claim 18.

Claim 22 has been rewritten in independent form by incorporating the recitations of Claim 17 therein and amending Claim 22 for better readability. Claims 23-24 depend from Claim 22.

Claim 25 has been rewritten in independent form by incorporating the recitations of Claim 17 therein, and amending the recitations of Claim 17 to recite a "first" microstructure master blank for consistency. Dependent Claims 26 and 30-35 have been amended to depend from Claim 18, and Claims 27-29 have been canceled.

Claim 36 has been rewritten in independent form by incorporating the recitations of Claims 17 and 34 therein.

Dependent Claims 37-39 have been amended to depend from Claim 18.

Claim 41 has been rewritten in independent form by canceling Claim 40 and incorporating the recitations thereof into Claim 41. Claims 42-43 depend from Claim 41.

Claim 44 has been rewritten in independent form by incorporating the recitations of Claim 40 therein, except that a "first" microstructure master blank is recited for consistency with Claim 44. Claims 45 and 46 have been canceled. Claims 47 and 50 have been amended to depend from Claim 41.

Claim 51 has been rewritten in independent form by incorporating the recitations of original independent Claim 40 and dependent Claim 41 into Claim 51. Applicants wish to note that the recitations of dependent Claim 41 rather than Claim 42 have been incorporated into Claim 51, because Claim 41 is the proper intermediate dependent claim. Finally, dependent Claim 52 has been amended to depend from Claim 41.

New Claims 53-57 also have been added. Claims 53-55 correspond to dependent Claim 33, but depend from Claims 22, 25 and 36, respectively. Dependent Claims 56 and 57 correspond to dependent Claim 50 but depend from Claims 44 and 51, respectively. Accordingly, all of the pending claims would be allowable but for the provisional obviousness type double patenting rejection, which is discussed below.

The Obviousness Type Double Patenting Rejection Has Been Overcome

The pending claims have been provisionally rejected on the ground of non-statutory obviousness type double patenting over Claims 1-47 of copending Application Serial No. 10/661,917. It would be simple for Applicants to file a Terminal Disclaimer to overcome the provisional rejection. However, Applicants respectfully submit that the pending claims are clearly patentably distinct from the pending claims of Application Serial No. 10/661,917. In particular, pending independent Claims 18, 22, 36, 41 and 51 all describe various processes that involve a microstructure master blank that comprises a first outer layer adjacent an imaging platform, a second outer layer remote from the imaging platform and a radiation sensitive layer sandwiched therebetween. These structures are simply not recited in the pending claims of copending Application Serial No. 10/661,917. Moreover, the

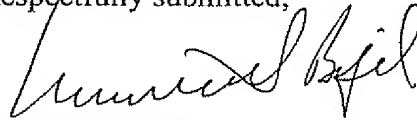
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remaining independent Claims 25 and 44 of the present application recite processes wherein imaging a second microstructure master blank and creating a second generation stamper at least partially overlap in time. These time overlapping processes are not described or suggested by the pending claims of copending Application Serial No. 10/661,917. Finally, dependent Claims 19, 20, 36, 37, 46 and 47 of Application Serial No. 10/661,917 have been canceled in a Supplemental Amendment filed concurrently, to ensure that the claims remain patentably distinct. A copy of this Supplemental Amendment is attached for the Examiner's reference. Accordingly, the obviousness type double patenting rejection has been overcome.

Conclusion

Applicants again appreciate the thorough examination and the indication that many of the claims are allowable. The allowable claims have been rewritten in independent form and the claims in the present application and copending Application Serial No. 10/661,917 have also been amended to ensure that the claim sets are patentably distinct. Accordingly, Applicants respectfully request withdrawal of the outstanding rejections and allowance of the present application.

Respectfully submitted,

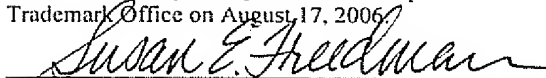


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I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on August 17, 2006.



Susan E. Freedman

Date of Signature: August 17, 2006